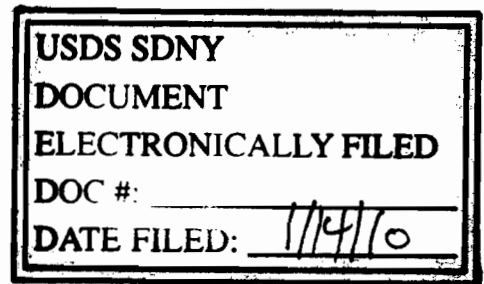


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LACI KAY SCOTT,

Plaintiff,

-v-

STRINGFELLOW'S OF NEW YORK, LTD., d/b/a
TENS CABARET a/k/a TENS GENTLEMEN'S
CLUB,

Defendant.

No. 09 Civ. 3801 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of two letters from the parties, each dated January 13, 2010. The first letter, sent by Plaintiff and reflecting Defendant's consent, requests that the trial date in this matter be adjourned from March 15, 2010, to a date in mid-June. The second letter, sent by both parties to raise a discovery dispute, contains Defendant's request for leave to serve a subpoena on the third-party defendant, sued as John 'Chi-Chi' Doe but apparently named Xavier 'Chi Chi' Silva.

The request to adjourn the trial date is granted, and trial is adjourned to June 14, 2010. Accordingly, the parties shall submit a joint pretrial order, any motions in limine, a joint proposed voir dire, joint proposed jury instructions, and a joint binder of exhibits by April 9, 2010. The parties shall thereafter appear for a final pre-trial conference on June 7, 2010, at 9:30 a.m. The deadlines set by the Court's order dated December 21, 2009, are vacated.


The request that Defendant be granted leave to serve a subpoena on Silva is denied. Discovery in this matter is closed, after having been extended once already by Order dated November 6, 2009. The docket reflects that Silva was served with process on August 25, 2009; Defendant's appropriate remedy at this point is to seek a default judgment against him.

Defendant is advised to consult Attachment A to my individual practices, which states the required procedure for obtaining a default judgment.

Finally, IT IS ORDERED that the Court will hold a settlement conference in this matter on March 1, 2010, at 2:30 p.m. Individuals with settlement authority — including Ms. Scott and the owner of Stringfellow's — are required to attend.

SO ORDERED.

Dated: January 14, 2010
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE